

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

Date: 5/25/05

Our case #: 04-6704, 04-7297, 04-7374, 04-7962, 04-8721, 04-8963, 04-8990, 04-9249, 04-9304, 04-9429, 04-10265, 05-72, 05-73, 05-74, 05-75, 05-76, 05-77 and 05-237

Dear Sir/Madam,

Enclosed is a certified copy of the civil docket sheet for the above referenced case that is being transferred to your district. The case file can be accessed through our CM/ECF System for the Southern District of New York. Please contact either Mr. Robert Gutierrez at (212) 805-0615 or Mrs. Tracy Rubino at (212) 805-0618 and they will furnish you with a CM/ECF Login and Password that will give you access to our Live CM/ECF database.

The enclosed copy of this letter is for your convenience in acknowledging receipt of these documents.

Court policy for USDC-SDNY states that all ECF actions require only original, manual paper filings for the initiating documents. You may access our CM/ECF website for any additional documents that your court may require for processing. Certified copies of initiating documents (exhibits excluded) are provided if originals are missing from the court file.

Yours truly,

J. Michael McMahon
Clerk of Court

Deputy Clerk



**RECEIPT IS ACKNOWLEDGED OF THE DOCUMENTS DESCRIBED HEREIN
AND ASSIGNED CASE NUMBER:**

CASE # _____ ON DATE: _____

CASE TRANSFERRED OUT FORM



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
OFFICE OF THE CLERK
1 COURTHOUSE WAY
BOSTON, MASSACHUSETTS 02210

Sarah Allison Thornton
CLERK OF COURT

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CLERK'S OFFICE

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May 18, 2005

Mr. John Michael McMahon, Clerk
United States District Court
120 Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

IN RE: MDL DOCKET No. 1629 In Re: Neurontin Marketing and Sales Practices
USDC - Massachusetts Lead Case No. 1:04CV10739-PBS
Your Case: Civil Action Nos:

| | |
|--|------------------------------------|
| 1:04-6704 Gary Lyman et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11020 PBS |
| 1:04-7297 Minisquero, et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11021 PBS |
| 1:04-7374 Nicole J. James v. Pfizer, Inc. et al | District of MA No: 1:05cv11022 PBS |
| 1:04-7962 Jay DiGiacomo v. Pfizer, Inc. et al | District of MA No: 1:05cv11023 PBS |
| 1:04-8721 Avrill C. Aronson et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11024 PBS |
| 1:04-8963 Jay Dodson, et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11025 PBS |
| 1:04-8990 Timothy P. Scott v. Pfizer, Inc. et al | District of MA No: 1:05cv11026 PBS |
| 1:04-9249 Dorothy Kern v. Pfizer, Inc. et al | District of MA No: 1:05cv11027 PBS |
| 1:04-9304 John Dees, et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11028 PBS |
| 1:04-9429 Peter Veraas v. Pfizer, Inc. et al | District of MA No: 1:05cv11029 PBS |
| 1:04-10265 Theodore Populis, et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11030 PBS |
| 1:05-72 Kathleen Wilson, et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11031 PBS |
| 1:05-73 William Montgomery v. Pfizer, Inc. et al | District of MA No: 1:05cv11032 PBS |
| 1:05-74 Michael Mendoza v. Pfizer, Inc. et al | District of MA No: 1:05cv11033 PBS |
| 1:05-75 Johnnie Hargrove v. Pfizer, Inc. et al | District of MA No: 1:05cv11034 PBS |
| 1:05-76 Shanan Feyer, et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11035 PBS |
| 1:05-77 Gregory Retzer v. Pfizer, Inc. et al | District of MA No: 1:05cv11036 PBS |
| 1:05-77 Sidney Brown, et al v. Pfizer, Inc. et al | District of MA No: 1:05cv11037 PBS |

05-77
05-237

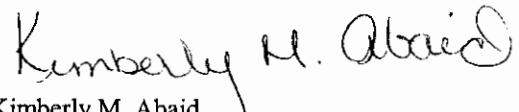
Dear Mr. McMahon:

Enclosed is a certified copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the cases on the attached listing to the U.S. District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to Title 28 United States Code Section 1407. These cases have been assigned to the Honorable Patti B. Saris.

In accordance with the Rules concerning Multi-District Litigation, please forward the original case file, along with a certified copy of the docket entries and a copy of the transfer order for the case now pending in your district as indicated above. Also include a copy of this letter when transmitting your records to the above address.

Your prompt attention to this matter is greatly appreciated. If you should have any questions, please do not hesitate to contact the undersigned at 617-748-9113, Robert Alba, Courtroom Clerk for Judge Saris at 617-748-9175 or Christine Patch, Docket Clerk for Judge Saris, at 617-748-9178.

Sincerely,


Kimberly M. Abaid
Deputy Clerk

Information Copy to: Michael Beck, Clerk of the Panel
Counsel of Record
Robert Alba
Christine Patch

CLOSED, ECF

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:04-cv-10265-JSR

Populis et al v. Pfizer, Inc. et al
Assigned to: Judge Jed S. Rakoff
Demand: \$100000000
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 12/28/2004
Jury Demand: Both
Nature of Suit: 365 Personal Inj.
Prod. Liability
Jurisdiction: Diversity

Plaintiff

Theodore Populis

represented by **Andrew G. Finkelstein**
Finkelstein & Partners, LLP
436 Robinson Avenue
Newburgh, NY 12550
914-562-0203
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eleanor Louise Polimeni
Finkelstein & Partners, LLP
436 Robinson Ave.
Newburgh, NY 12550
845-563-9421
Fax: 845-562-3492
Email:
epolimeni@lawampm.com
ATTORNEY TO BE NOTICED

Plaintiff

Shirley Populis

represented by **Andrew G. Finkelstein**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eleanor Louise Polimeni
(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant**Pfizer, Inc.**

represented by **Erik March Zissu**
Davis Polk & Wardwell
450 Lexington Avenue
New York, NY 10017
(212) 450-4511
Fax: 212 450-3511
Email: zissu@dpw.com
ATTORNEY TO BE NOTICED

Defendant

Parke-Davis
a division of Warner-Lambert
Company and Warner-lambert
Company, LLC

represented by **Erik March Zissu**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Warner-Lambert Company,
LLC

represented by **Erik March Zissu**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Warner-Lambert Company

represented by **Erik March Zissu**
(See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|---|
| 12/28/2004 | <u>1</u> | COMPLAINT against Pfizer, Inc., Parke-Davis, Warner-Lambert Company, LLC, Warner-Lambert Company. (Filing Fee \$ 150.00, Receipt Number 529950) Document filed by Theodore Populis, Shirley Populis.(gf,) Additional attachment(s) added on 1/6/2005 (gf,). (Entered: 01/04/2005) |

| | | |
|------------|-------------------|---|
| 12/28/2004 | | SUMMONS ISSUED as to Pfizer, Inc., Parke-Davis, Warner-Lambert Company, LLC, Warner-Lambert Company. (gf,) (Entered: 01/04/2005) |
| 12/28/2004 | | Magistrate Judge Frank Maas is so designated. (gf,) (Entered: 01/04/2005) |
| 12/28/2004 | | Case Designated ECF. (gf,) (Entered: 01/04/2005) |
| 01/04/2005 | 2 | NOTICE of Appearance by Eleanor Louise Polimeni on behalf of all plaintiffs (Polimeni, Eleanor) (Entered: 01/04/2005) |
| 01/12/2005 | 3 | NOTICE OF CASE REASSIGNMENT to Judge Jed S. Rakoff. Judge Charles S. Haight no longer assigned to the case. (gf,) (Entered: 01/12/2005) |
| 01/12/2005 | | Mailed notice to the attorney(s) of record. (gf,) (Entered: 01/12/2005) |
| 01/31/2005 | 4 | RULE 7.1 DISCLOSURE STATEMENT. Document filed by Pfizer, Inc., Parke-Davis, Warner-Lambert Company, LLC, Warner-Lambert Company.(Zissu, Erik) (Entered: 01/31/2005) |
| 01/31/2005 | 5 | ANSWER to Complaint with JURY DEMAND. Document filed by Pfizer, Inc., Parke-Davis, Warner-Lambert Company, LLC, Warner-Lambert Company.(Zissu, Erik) (Entered: 01/31/2005) |
| 01/31/2005 | 6 | CERTIFICATE OF SERVICE of the Answer and Defendants' Disclosure of Interested Persons 7.1 Statement served on Kenneth B. Fromson, Esq., Finkelstein & Partners on 01/31/2005. Service was made by Mail. Document filed by Pfizer, Inc., Parke-Davis, Warner-Lambert Company, LLC, Warner-Lambert Company. (Zissu, Erik) (Entered: 01/31/2005) |
| 02/01/2005 | 7 | AFFIDAVIT OF SERVICE of Summons and Complaint, Pfizer, Inc. served on 1/11/2005, answer due 1/31/2005. Service was accepted by Norah Radler, Authorized Agent, Secretary of State. Document filed by Theodore Populis; Shirley Populis. (Polimeni, Eleanor) (Entered: 02/01/2005) |

| | | |
|------------|---------------------------|--|
| 02/01/2005 | <u>8</u> | AFFIDAVIT OF SERVICE of Summons and Complaint., Parke-Davis served on 1/11/2005, answer due 1/31/2005. Service was accepted by Mary McNeil, Managing Agent. Document filed by Theodore Populis; Shirley Populis. (Polimeni, Eleanor) (Entered: 02/01/2005) |
| 02/01/2005 | <u>9</u> | AFFIDAVIT OF SERVICE of Summons and Complaint., Warner-Lambert Company served on 1/11/2005, answer due 1/31/2005. Service was accepted by Mary McNeil, Managing Agent. Document filed by Theodore Populis; Shirley Populis. (Polimeni, Eleanor) (Entered: 02/01/2005) |
| 02/01/2005 | <u>10</u> | AFFIDAVIT OF SERVICE of Summons and Complaint., Warner-Lambert Company, LLC served on 1/11/2005, answer due 1/31/2005. Service was accepted by Norah Radler, Authorized Agent, Secretary of State. Document filed by Theodore Populis; Shirley Populis. (Polimeni, Eleanor) (Entered: 02/01/2005) |
| 05/25/2005 | <u>11</u> | CERTIFIED TRUE COPY OF MDL ORDER FROM THE MDL PANEL LIFTING STAY OF CONDITIONAL TRANSFER ORDER... that the stay of the Panel conditional transfer order designated as CTO-6, filed on 04/13/2005, is LIFTED and the action is transferred to the District of Massachusetts for the coordinated or consolidated pretrial proceedings under 28 U.S.C. 1407 being conducted by the Honorable Patti B. Saris. (Signed by Judge Jed S. Rakoff on 05/11/05) (jeh,) Modified on 5/26/2005 (jeh,). (Signed by Judge MDL Panel on 05/11/05) (jeh,) (Entered: 05/26/2005) |
| 05/25/2005 | | MDL TRANSFER OUT: Mailed certified copy of documents numbered 1,3,7-10, docket entries and transfer order along with letter of acknowledgment to the United States District Court - District of Massachusetts. Mailed via Federal Express AIRBILL # 8434 1350 4862 on 05/26/05. (jeh,) (Entered: 05/26/2005) |

| Transaction Receipt | | | |
|------------------------|---------------|-------------------------|-------------------|
| 06/13/2005 10:46:46 | | | |
| PACER Login: | us2510 | Client Code: | |
| Description: | Docket Report | Search Criteria: | 1:04-cv-10265-JSR |
| Billable Pages: | 2 | Cost: | 0.16 |